



**RUBBER**  
manufacturers  
association

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February 11, 2002

The Honorable Jeffrey Runge, M.D.  
Administrator  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W.  
Washington, D.C. 20590

RE: NHTSA Docket No. 2001-11108  
Acceleration of Manufacturer's Remedy Program

Dear Dr. Runge,

The Rubber Manufacturers Association ("RMA") is the primary trade association representing the interests of the tire and rubber industry in the United States. RMA's membership includes all of the country's major tire manufacturers: Bridgestone/Firestone Americas Holding, Inc., Continental Tire N.A., Inc., Cooper Tire & Rubber Company, The Goodyear Tire & Rubber Company, Michelin North America, Inc., Pirelli Tire North America, and Yokohama Tire Corporation.

On behalf of its tire manufacturer members, RMA responds to the National Highway Traffic Safety Administration's ("NHTSA" or "Agency") Notice of Proposed Rulemaking ("NPRM") on NHTSA Docket No. 2001-11108, Motor Vehicle Safety; Acceleration of Manufacturer's Remedy Program, published in the Federal Register on December 11, 2001. RMA is in basic agreement with the Agency regarding the intent of this rulemaking. However, RMA believes it is important to point out a few important issues.

The proposal under consideration leaves a great deal of discretion to the Agency. RMA would encourage NHTSA to establish specific, published criteria for the acceleration of a recall. NHTSA should be required to consult with the manufacturer prior to the acceleration of a recall program since the manufacturer might be aware of newly available replacement parts or other possible strategies.

Much of the Agency's proposal is based on the assumption that recalls are always massive undertakings. However, for the tire industry that is rarely the case. RMA believes that in the vast majority of cases a recall plan will be able to notify the owners of recalled tires in a fairly direct and straightforward manner and provide for an appropriate remedy. In these instances an acceleration program will not be necessary. The use of internet sites and other means of communication regarding a recall program or an accelerated recall program will rarely be necessary. RMA would encourage the Agency to specifically recognize this in the regulations.

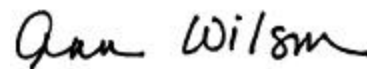
RMA would like to see more extensive criteria for the determination of a suitable replacement tire. RMA would discourage the Agency from proceeding in any acceleration of a recall plan unless equal quality replacement tires are available. In addition to the same UTQG rating, RMA believes a replacement tire should have the same or higher load index and speed rating. Specifically, RMA recommends that in § 573.14 (e), the proposed regulation be amended to read:

(e) Under an accelerated remedy program, the remedy that is provided shall be equivalent to the remedy that would have been provided if the program had not been accelerated. The replacement parts used to remedy the defect or noncompliance shall be reasonably equivalent to those that would have been used if the remedy program were not accelerated. The service procedures shall be reasonably equivalent. In the case of tires, the replacement tire shall be the same size and type as the defective or noncompliant tire, shall be suitable for use on the owner's vehicle, shall have the same or higher load index and speed rating, and for passenger car tires, shall have the same or better rating in each of the three categories enumerated in the Uniform Tire Quality Grading System.

RMA believes that these additions will assist the consumer by insuring that the appropriate tire is on their vehicle.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Ann Wilson". The signature is written in a cursive, flowing style.

Ann Wilson  
Senior Vice President